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AFFIDAVIT IN SUPPORT OF MOTION  
FOR SUMMARY JUDGMENT

STATE OF MARYLAND, COUNTY OF FREDERICK, TO WIT:

I HEREBY CERTIFY, that on this 28<sup>th</sup> day of December, 1976, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared Paul A. Zimmerman and made oath, in due form of law, as follows:

1. That I am competent to be a witness and have personal knowledge of the facts herein stated.

2. That I am age 66, and have resided in the Town of New Market, Frederick County, Maryland, all of my life.

3. That all during my residency in the Town of New Market, Maryland, to the best of my memory and recollection, Federal Street, north of Maryland Route 144 and North Alley, west of Federal Street to old Maryland Route 75 in New Market have been used by the public as a means of pedestrian and vehicular travel. That during my residency in New Market, I have used, and have observed others use, the aforementioned street and alley on numerous occasions as a means of pedestrian and vehicular travel. That during my residency in New Market, the aforesaid street and alley have been maintained, to the best of my recollection, so as to provide a means of pedestrian and vehicular travel for the public.

WITNESS MY HAND AND NOTARIAL SEAL.

  
NOTARY PUBLIC

My Commission Expires:

July 1, 1978